

REMARKS

The undersigned greatly appreciates the courtesies extended by Examiners Rachna Singh and Sanjiv Shah during the personal interview at the Patent and Trademark Office on November 10, 2004. Applicant's representatives Shaun McCaffrey and Michael Newcity were in attendance at the interview. A proposed claim was presented to the examiners for discussion. The examiners suggested focusing the amended claim on features, such as the "visibility" of the planner, not discussed in the prior art.

Claims 1-40 in the case are pending and stand rejected. Claims 1-2 and 4-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Martin ('140) in view of Lamb ('686). Claim 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Martin in view of Lamb, and further in view of Adler ('356).

In view of the above, base Claims 1, 21, and 36 have been amended to further define over the prior art cited. Specifically, the amended claims recite a shipment planner including a *shipment data repository* containing shipment and scheduling information for *inbound freight, outbound freight, and third party freight*. A system interface communicates with the shipment data repository. A calendar display interface displays the shipment planner to the user in a calendar format comprising a tabular register of days. A plurality of *interactive shipment data links* are contained within certain days displayed in the calendar display interface. These links are electronically associated with the shipment and scheduling information, and cooperate with the system interface as commanded by the user to access and retrieve the associated shipment and scheduling information contained in the shipment data repository. The plurality of shipment data links include a plurality of *inbound freight data links, outbound*

freight data links, and *third party freight data links*. These links access and retrieve associated inbound freight, outbound freight, and third party freight information from the shipment data repository.

The calendar display interface further includes a *first data code* visually distinguishing all of the inbound freight data links contained within the tabular register of days, a *second data code* visually distinguishing all of the outbound freight data links contained within the tabular register of days, and a *third data code* visually distinguishing all of the third party freight data links contained within the tabular register of days. As such, the shipment planner defines an *interactive visual reference* adapted for promoting ready, efficient, and convenient management and tracking of shipments.

A primary object of the claimed invention is to meet the needs of a particular segment of shippers, primarily those managing the *visibility* of their logistics and transportation efforts. In developing the invention, Applicant's research of several million Web logs and online transactions resulted in the identification of several distinct shipper groups, with two primary groups: (1) shippers managing the preparation and planning of shipments before pickup—those that might benefit from a hypothetical system contrived from a combination of features discussed the prior art cited, and, (2) shippers managing the *post-pickup stage* of shipment activity—those that would benefit from the present claimed Shipment Planner.

This distinction is also evident in a casual study of any carriers' customer base, a group that usually consists of a range of customers from small, emerging companies to Fortune 50 organizations. The logistics functions of the majority of these organizations have clear distinctions of responsibility in how they manage their supply chain and utilize pre-pickup systems versus post-pickup systems. Customer service departments

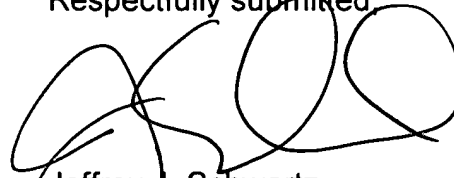
use the present Shipment Planner to report shipment statuses, expected delivery times, transit exceptions, and other post-pickup events. Accounting departments use the present Shipment Planner to access critical shipment documents, like the bill of lading and proof of delivery. These departments would not use a *pre-pickup* application (such as that taught or suggested in Martin, Lamb, and/or Adler). By contrast, a logistics or dock manager at a small organization may use both, but for completely different reasons. And, many organizations employ separate inbound and outbound freight managers. In this case, the inbound manager would predominately use a tool like the present Shipment Planner, while the outbound manager may predominately use a pre-pickup preparation tool.

The amended base Claims 1, 21, and 36 recite features specific to the *visibility aspect* of the invention to the end-user. The Shipment Planner provides a wealth of useful information specific to *inbound, outbound, and third party freight* in a manner which promotes convenient, efficient, and cost-savings management and tracking of shipments. The prior art cited, neither alone nor in combination, discloses, teaches or suggests the invention as now claimed.

For all of the reasons discussed above, Applicant submits that all of the claims in the case are now in condition for allowance. Such action is therefore requested at an early date. If the examiner believes that issues remain for discussion, she is invited to contact the undersigned at the telephone number or e-mail address listed below.

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